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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

S/015/0044
TAB 3133

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August 31, 2009

CERTIFIED RETURN RECEIPT
7005 2570 0000 4801 6812

Bob Sutherland
Sutherland Brothers Construction
29703 Highway 97
P. O. Box 889
Nucla, Colorado 81424

Subject: Reclamation Requirements, Sutherland Brothers Construction, Whitecloud Mine, S/015/0044, Emery County, Utah

Dear Mr. Sutherland:

According to the Division's records, the Whitecloud Mine has been inactive since 1989, (approximately 20 years.) Rule R647-3-113.5 requires the Division to require complete reclamation of a mine after it has been inactive for ten years unless the operator appeals to the Board of Oil, Gas and Mining for a longer suspension period.

Sutherland Brothers Construction has not appealed to the Board of Oil, Gas and Mining for an extended period of inactivity, so the Division is obligated to require complete reclamation of the site.

We have previously discussed reclamation of the site, and it has been put off for various reasons since about 2006. **You must complete reclamation, including site grading and seeding, by October 30, 2009.** Failure to finish reclamation by this date will result in enforcement action. If you wish to appeal this decision, you may request a formal hearing before the Board (R647-5-101.1).

If you have any questions about this letter please call me at (801) 538-5261 or Wayne Western at (801) 538-5263. Thank you for your cooperation.

Sincerely,

Paul B. Baker
Minerals Regulatory Program

PBB:whw:pb

cc: Christopher_Conrad@blm.gov

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